IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1033 OF 2007

Shri Mahendra Vanilal Suratwala, Petitioner

Vs

Shri Mansukh Morarji Shah and ors Respondents.

Mr V.G.Mujumdar, for the petitioner.
Mr M.G.Barve, for the respondents.

CORAM : D.B.BHOSALE,J.
DATED : 04th JULY, 2007

P.C.:

1. Heard the learned counsel for the parties.

2. The petitioner has impugned an order dated 4.12.2006 passed by the trial court rejecting the application filed by the petitioner dated 20.11.2006. By this application, the petitioner had prayed for setting aside "No W.S." order and for taking the written statement on record which was filed along with the application. I perused the application and the reply filed by the plaintiff. The learned counsel appearing for the parties fairly stated that I need not record reasons for allowing this petition. In the circumstances I pass the following order.

(i) The impugned order dated 4.12.2006 is set aside. The petitioner to file written statement within two weeks from today subject to payment of costs quantified at Rs.2000/- to be remitted to the respondent-plaintiff within the aforestated time. The trial Court to proceed with the suit and decided the same expeditiously. The writ petition is accordingly disposed of.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE,J.)